

SECOND REGULAR SESSION

# HOUSE BILL NO. 1096

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES RELFORD AND SEIGFREID (Co-sponsors).

Pre-filed December 4, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2576L.011

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### AN ACT

To repeal section 162.492, RSMo, and to enact in lieu thereof one new section relating to school districts.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 162.492, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 162.492, to read as follows:

- 162.492. 1. In all urban districts containing the greater part of the population of a city which has more than three hundred thousand inhabitants the terms of the members of the board of directors in office in 1967 shall continue until the end of the respective terms to which each of them has been elected to office and in each case thereafter until the next school election be held and until their successors, then elected, are duly qualified as provided in this section.
2. [In each urban district designated in subsection 1, the election authority of the city in which the greater portion of the school district lies, and of the county if the district includes territory not within the city limits, shall serve ex officio as a redistricting commission. The commission shall on or before November 1, 1969, divide the school district into six subdistricts, all subdistricts being of compact and contiguous territory and as nearly equal in the number of inhabitants as practicable and thereafter the board shall redistrict the district into subdivisions as soon as practicable after each United States decennial census. In establishing the subdistricts each member shall have one vote and a majority vote of the total membership of the commission is required to make effective any action of the commission.
3. School elections for the election of directors shall be held on municipal election days in each even-numbered year. At the election in 1970, one member of the board of directors shall

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

17 be elected by the voters of each subdistrict. The seven candidates, one from each of the  
18 subdistricts, who receive a plurality of the votes cast by the voters of that subdistrict shall be  
19 elected and the at-large candidate receiving a plurality of the at-large votes shall be elected. In  
20 addition to other qualifications prescribed by law, each member elected from a subdistrict must  
21 be a resident of the subdistrict from which he is elected. The subdistricts shall be numbered from  
22 one to six and the directors elected from subdistricts one, three and five shall hold office for  
23 terms of two years and until their successors are elected and qualified, and the directors elected  
24 from subdistricts two, four and six shall hold office for terms of four years and until their  
25 successors are elected and qualified. Every two years thereafter a member of the board of  
26 directors shall be elected for a term of four years and until his successor is elected and qualified  
27 from each of the three subdistricts having a member on the board of directors whose term expires  
28 in that year. Those members of the board of directors who were in office in 1967 shall, when  
29 their terms of office expire, be succeeded by the members of the board of directors elected from  
30 subdistricts. In addition to the directors elected by the voters of each subdistrict, additional  
31 directors shall be elected at large by the voters of the entire school district as follows: In 1970  
32 one director at large shall be elected for a two-year term. In 1972 one director at large shall be  
33 elected for a four-year term. In 1974 two at-large directors shall be elected for a four-year term  
34 and thereafter in alternative elections one director shall be elected for a four-year term and then  
35 two directors shall be elected for a four-year term, so that from and after the 1970 election the  
36 board of directors not including those members who were in office in 1967 shall consist of seven  
37 members until the 1974 election and thereafter the board shall consist of nine members. In those  
38 years in which one at-large director is to be elected each voter may vote for one candidate and  
39 the candidate receiving a plurality of votes cast shall be elected. In those years in which two  
40 at-large directors are to be elected each voter may vote for two candidates and the two receiving  
41 the largest number of votes cast shall be elected.

42         4. The six candidates, one from each of the subdistricts, who receive a plurality of the  
43 votes cast by the voters of that subdistrict and the at-large candidates receiving a plurality of the  
44 at-large votes shall be elected. The name of no candidate for nomination shall be printed on the  
45 ballot unless the candidate has at least sixty days prior to the election filed a declaration of  
46 candidacy with the secretary of the board of directors containing the signatures of at least two  
47 hundred fifty registered voters who are residents of the subdistrict within which the candidate  
48 for nomination to a subdistrict office resides, and in case of at-large candidates the signatures of  
49 at least five hundred registered voters. The election authority shall determine the validity of all  
50 signatures on declarations of candidacy.

51         5. In any election either for at-large candidates or candidates elected by the voters of  
52 subdistricts, if there are more than two candidates, a majority of the votes are not required to

53 elect but the candidate having a plurality of the votes if there is only one office to be filled and  
54 the candidates having the highest number of votes, if more than one office is to be filled, shall  
55 be elected.

56 **6.] In each urban district designated in subsection 1 of this section, the school board**  
57 **shall consist of nine members. Beginning with school elections in 2002 and in every school**  
58 **election thereafter, members of the board of that district shall be elected at large. Current**  
59 **members who were elected from subdistricts shall finish their term as scheduled. At the**  
60 **end of their term, the vacancy shall be filled by an election at large. Elections at large in**  
61 **these districts shall allow all eligible voters in the district to vote on any positions to be**  
62 **filled in both primary and general elections. Each member shall be elected to a four-year**  
63 **term. School elections for the election of members shall be held on municipal election days**  
64 **in each even-numbered year.**

65 **3. In an election for at-large candidates, if there are more than two candidates, a**  
66 **majority of the votes are not required to elect but the candidate having a plurality of the**  
67 **votes shall be elected if there is only one office to be filled. If more than one office is to be**  
68 **filled, the candidates having the highest number of votes shall be elected.**

69 **4.** The names of all candidates shall appear upon the ballot without party designation and  
70 in the order of the priority of the times of filing their petitions of nomination. [No candidate may  
71 file both at large and from a subdistrict and] The names of all candidates shall appear only once  
72 on the ballot, [nor may any] **and no** candidate **may** file more than one declaration of candidacy.  
73 All declarations shall designate the candidate's residence [and whether the candidate is filing at  
74 large or from a subdistrict and the numerical designation of the subdistrict or at-large area].

75 **[7.] 5.** The provisions of all sections relating to seven-director school districts shall also  
76 apply to and govern urban districts in cities of more than three hundred thousand inhabitants, to  
77 the extent applicable and not in conflict with the provisions of those sections specifically relating  
78 to such urban districts.

79 **[8.] 6.** Vacancies which occur on the school board between the dates of election shall be  
80 filled by majority vote of the remaining members of the school board to serve until the time of  
81 the next regular school board election. [Subdistrict director vacancies shall be filled by  
82 appointment of a resident of the subdistrict in which the vacancy occurs.]